

**Workshop on Land Policy, Administration and
Management for the English-Speaking
Caribbean**

Hilton Hotel

Port of Spain TRINIDAD and TOBAGO

March 19 – 21, 2003

Report of the Workshop

on

Land Policy, Administration and Management for the English-
Speaking Caribbean

Port of Spain,
Trinidad and Tobago
19-21 March, 2003

FACILITATED BY

Terra Institute, Ltd.,

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ACT Consulting Associates (ACA) Ltd.

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1. INTRODUCTION

The Workshop on Land Policy, Administration and Management for the English-speaking Caribbean (Workshop) was held in the Hilton Hotel, Port of Spain, Trinidad & Tobago between March 19-21, 2003. The workshop attracted 78 participants from 14 Caribbean countries and 9 regional and international organizations and 4 Universities in the region. It also attracted a variety of professions including Commissioners of Land, Permanent Secretaries, Private Sector Representatives, Physical Planners and representatives of non-Governmental Organizations. Annexes 1 and 2 detail the participants.

For Caribbean societies to be peaceful, prosperous and environmentally healthy over the long term, the tensions inherent in the “triangle” of competing fundamental goals (dynamic markets, social equity and access to land and sustainable land uses) must be recognized and managed in each country, and for the region as a whole. This Workshop attempted to bring the main land administration and management issues into focus, and to provide a forum for participants to discover how the “triangle” is being managed and to identify such ideas which seem to work in one place with an eye to their applicability elsewhere in the region..

The general objectives of the Workshop were:

- a) The accumulation of knowledge of the practical experiences between the various stakeholders of the countries in the region to assist the development of more effective land policies and investment programs;
- b) The development of a Caribbean perspective on land administration and management, in order to ensure that the policies of international agencies reflect the realities of the region; and
- c) The identification of ways in which broadly agreed principles of land policy can be translated into feasible national policies and programs that respond to the specific problems confronting the countries and the region.

In addition to the learning that occurred from the Workshop’s discussions, the Workshop aimed at producing two specific **outputs**:

1. The establishment of a network of Caribbean professionals committed to working together on land issues;
2. The specification of the “next steps” for the network to implement, which the Workshop participants identify as of the greatest priority for helping to resolve the problems identified at the Workshop.

The framework papers and the country experiences papers, which were prepared for the Workshop, are provided in separate Proceedings of the Workshop.

Some of the land information systems technologies which have been developed recently, as well as work done in the region to make land information more accessible, were highlighted in a “Trade Show” organized for the afternoon of the second day of the Workshop. *Annex 4* shows the list of presenters at that event.

2. OPENING SESSION

Participants were welcomed to the Workshop by Dr. T. Driver, Chairman of the Workshop Steering Committee. Noting that this workshop had its genesis in a Workshop on Land Administration in Mexico, Dr. Driver noted with pride that this was one occasion in which a promise made at one workshop was actually realized in a timely manner!

Mr. Howard Batson, Director of Environment and Natural Resources (USAID- Jamaica) noted that property rights and property registration were key to poverty reduction as they provided a sound environment for trade-led economic growth. He expressed the hope that the Workshop will share experiences and lessons learnt that would assist in developing a Caribbean perspective and approach to improving land administration and land management in the region.

Dr. James Morton spoke on behalf of DFID. He observed that DFID's support for this workshop resulted from the successes it has had in supporting land projects in the Caribbean, and noted that DFID is likely to participate in partnership with multi-national agencies and regional institutions.

Mr. Alvaro Llosa also expressed the IADB's support for land projects in the region. He informed the gathering that as of December 2002, US\$500 million had been approved for land projects in Latin America and the Caribbean. However, only US\$30 million had been approved specifically for the Caribbean. Drawing from the lessons from other experiences, he noted the importance of the following:

- Having a better understanding of the historic and cultural aspects relating to access and use of land.
- Identifying the influence of interest groups and their stance *vis a vis* supporting changes to the *status quo*
- Securing institutional capacity to execute project activity in an effective and transparent way.
- Obtaining sufficient political support to lead institutional and legal reforms.

The Feature Opening Address was delivered by the Hon. John Rahael, Minister of Agriculture, Lands and Marine Resources of the Government of Trinidad & Tobago. He outlined the progress made in by the Government of Trinidad & Tobago in developing and implementing programs for improving land administration and management. **Annex 3** provides the complete text.

The opening session concluded with a Vote of Thanks by Dr. Allan N. Williams, Workshop Facilitator. In his remarks, Dr. Williams assured the Honourable Minister that the gathering expressed the willingness of professionals in the Caribbean region to address these issues with informed and timely diligence.

3. SETTING THE FRAMEWORK

Three papers contributed to setting the Framework for interpreting land issues. Dr. Williams portrayed the challenge facing policy makers as **judicious management of the trade-off** so often evident in using land policy to simultaneously achieve higher productivity and efficiency in resource use, equity, and environmentally sustainable development.

Dr. Peter Bloch outlined the “standard model” of the link between land tenure and **economic growth**. Elaborating, this involves the formalization of tenure so as to motivate both, a) greater security of land holdings with consequent investments in the land, and b) improvement of title registration systems with consequent reinvigoration of land markets.

In her Feature Address, Prof. Jean Besson of the University of London cautioned Workshop participants to acknowledge the land tenure histories of the peasantry and indigenous groups in the region and to consider the implications of the historical fact that their tenure forms have evolved as adaptations to exploitative situations and the needs of the disadvantaged.

4. SESSION 2: Country Experiences Highlighting Land Markets and Development.

Three country experiences concerning the stimulation of land markets were taken up in this session. Andrew Bishop noted that the main problems encountered in Guyana included holders of leases and freeholds without documentation, lease terms not sufficient to enable leaseholders to get access to credit, lack of information by the holders of land about markets and the domination of informal market transactions resulting in ever greater frequency of holdings without legal documentation of rights.

A major institutional reform has been the creation in 2001 of the Guyana Lands and Surveys Commission. This semi-autonomous agency unifies the registration of rights with descriptions of properties, with wide powers for the regularization of tenure, the management of state lands for the regularization and management of leases of those lands, the development of land policy and the planning of land use. The Land Tenure Regularization project was implemented to improve the documentation of rights and to introduce the 50-year lease, to convert some leases into freehold tenures, and to reduce transaction costs.

Jacqueline daCosta spoke of the development of a comprehensive land policy using inclusive participation techniques in Jamaica. Major issues are the tenure situation with respect to “family lands”, keeping the tax roll updated and enforcement, the high costs associated with bringing land onto the registry, and squatting. Efforts to address these matters include:

- The enacting of legislation simplifying the land registration and land transfer processes while reducing the related cost.
- The enacting of new legislations to deal with family lands and the fragmentation of land.
- An organized and sustained land allocation process.
- Continued development of rural communities and road networks to reduce the strain on urban housing.
- A documented process as to the use and development of idle lands.
- A comprehensive educational program with respect to issues related to land.

Substantial investments have also been made in the development of land information databases.

Peter Rabley of ILS presented the Bahamas case and noted how current land management in the Bahamas gets its underpinnings from 1920's English Law. Land tenure is dominated by the issues of commonage and generational lands making for the lack of clear documentation.

It was pointed out that each of the departments charged with land administration have the same core functional problems, namely

- Outdated manual processes that reflect methods and requirements from pre independence days,
- Outdated legislation that has not kept up to date with modern methods of land administration,
- Inefficient collection of fees that do not reflect current cost of processing nor the value of the transaction,
- Fees that are generated for land transactions are assigned to the general fund and not the individual departments,
- Many of the land recording processes are optional and not mandatory,
- Financial disincentives to record land i.e. high transfer taxes,
- Lack of coordination and integration among the different agencies managing land resulting in a lack of information available for each department to complete its task effectively, and
- Lack of funding for staffing, training, core data set development and maintenance, and equipment modernization.

The Government of the Bahamas, realizing the increased threat and pressure from unguided development and growth and its inability to effectively steward land resources embarked in 1998 on a National GIS Project (BNGIS). This project would be the first step toward modernizing land administration in the Bahamas

However, application of the project has been retarded by the same core factors that have created the current land administration environment - namely a lack of government priority and resources given for training, data collection, and modernization of the land administration institutions and their processes. In light of this, Rabley recommended a series of reforms that would lay the foundation for economic planning in that the

relationship of land parcels, the use to which the land is put and the proprietary interests residing in that land provide a means of achieving a sound fiscal base to meet social and community needs. Additionally, it is hoped that the reforms would establish an effective decision-making framework in relation to decisions that concern the natural environment and the impact of development on that environment.

Working Group Discussions

Following the 15 minute presentations of the three country cases, the participants in the Workshop were randomly divided into four Working Groups, with the assignment of discussing the previously defined questions relating to land markets and development illustrated in the three cases and encountered in the countries represented in the Working Groups.

The following issues were proposed to the Working Groups:

- What are some core requirements for maintaining comprehensive registers on all transactions on land?
- Do we need a more active role for local governance in restructuring the public institutions and processes for administering land?
- How can the current impediments to more effective land administration and functioning land markets be effectively removed, by
 - Legislative measures
 - Public Sector reform
 - Constitutional recognition of different forms of possession of land
 - More open, less restrictive land markets
 - More effective regulatory systems
 - Greater social consciousness of the nature of land holdings
 - Consolidation of institutions arrangements for dealing with land
 - Decentralized governance and decentralized physical planning
 - Application of geographic information systems
 - Training of personnel
 - Pilot projects in land management
 - More flexibility in land use planning
 - Less complicated processes for land registration
 - More realistic land valuation systems/more effective land taxation
- Can technology adaptation define some common point to which all land administration systems in the Caribbean should aspire?
- What can we do about reducing the costs of land transactions (costs of surveying, costs of registering, Stamp Duty etc.)?
- Issues of sustainability of the current programs to “modernize” registries/cadastre – including issues like private sector licenses to manage registries etc.

Following the Working Group discussions, the participants were assembled in a plenary session to hear and discuss the results of the working group discussions, as presented by the working group rapporteurs.

5. SESSION 3: Country Experiences Highlighting Social Equity and Access to Land

Four country cases illustrate the issues encountered and solutions devised: Barbados, Belize, Suriname, and Trinidad and Tobago. Mr. Timothy Maynard noted that two topical issues in Barbados within recent years have been Government's policies in relation to the provision of public access to beach lands. This reflects the scarcity and affordability of vacant coastal lands the demand for public access to these beaches, and the accretion of beach lands. Accordingly, the policies of the Barbados' National Physical Development Plan are expressly designed to address these matters.

Dr. Joseph Iyo pointed out that many attempts at improving equity in Belize have been through the acquisition of land for public purpose that represents redistribution from individual owners to multiple landholders. There have also been equity concerns raised with respect to gender, poverty and the problem of ensuring access for the least advantaged as the land market development intensifies.

While the Government of Belize has continued to pursue an aggressive policy of acquisition of private lands for public use and general distribution, the rise of the secondary land market can no longer be ignored. Problems surrounding the dissemination of information about records of ownership, use and value of land were also identified.

In discussing the case of Suriname, Dr. Harold Struiken drew upon the Buursink Diagnosis of Land Management Issues report. It points to excessively long waiting times, which appear to indicate serious workflow or procedural problems, apparently due to the large backlogs and bottlenecks at almost every step of the process.

Several causes for the backlog were identified, making it clear that the institutions responsible for processing land applications need to be internally strengthened. Options for new institutional structures should be considered and explored, and an effort should be made to eliminate or reduce the applications backlog. It was suggested that more consideration should be given to the re-introduction of freehold title regimes not encumbered by unnecessary administrative restrictions for issuing leasehold tenures inherited from a colonial past.

Dr. Asad Mohamed identified key issues in the case of Trinidad and Tobago as being limited accessibility of the poor, which reflects a more than 150 year history of land policy expressing intentional action by the state rather than inadvertent outcomes of policy, market or institutional failure

Ethnic demographics and politics surrounding access to land has colored and retarded open, fair and effective land distribution programs, an issue that is however, never openly addressed by academics, administrator or international technical specialists. He observed that the narrow definition of land largely excludes the coastal zone and the near shore area and thereby leaves these areas outside the realm of State Land Administration with inadequate integration of the various key stakeholders in its management. .

Also discussed was the inter-relationship between ethnicity, land and post independence politics. Manipulative political activities and ethnic perspectives tend to impede the rational development and implementation of broad land distribution and welfare programs. It was also pointed out that people of different cultural backgrounds approach the ownership, use and alienation of land in different ways. It is a useful question to ask whether land registration processes and land use regulations in small societies can be adapted away from European and North American influences to accommodate heterogeneity.

Working Group Discussions

Four working groups were formed by randomly assigning workshop participants to the groups. Each group was given discussion questions to consider in their analyses of the cases presented as well as their analyses of their own country experiences. The questions were as follows:

General Question for all Working Groups:

“Some issues of social equity and access to land have been raised by the presentations from Barbados, Belize, Suriname and Trinidad and Tobago. What are some of the experiences from those and your countries that the Workshop should note specifically?”

Group 1:

1. For countries with State owned agricultural land, should that land be provided to the disadvantaged (poor people, women, ethnic minorities, etc)?
 - a) What criteria should be used to decide who will be the future holders of that land?
 - b) What forms of tenure should be used (lease, freehold, household/family ownership, etc)?
 - c) What should be the conditions of transfer (sale, gift, kept in agriculture, able to use for housing, etc)?
2. For countries without State owned land, how can the disadvantaged get access to land for: a) housing, b) agriculture, c) businesses?
3. How can land settlement/distribution programs be designed to promote inter-ethnic harmony?

Group 2:

4. Under what conditions should the State intervene in land markets to provide land to the disadvantaged (poor people, women, ethnic minorities)? What are the various options for such interventions?
5. What, if any, restrictions should be placed on the foreign ownership of various types of land (agricultural land, land along the national borders, urban land)? Should the State keep a list of foreign land owners?
6. What legal, administrative, and governance measures should be taken to resolve the competing uses of the same resources (e.g., beaches for tourist resorts versus local recreation, fishing)?

7. Does “family” or “generational” land tenures improve or discourage access to land by the disadvantaged?

Group 3:

8. What are the options for providing access to housing by the disadvantaged (people without accumulated capital, women headed households, ethnic minorities)?
9. What evidence can be assembled showing that improving the formal, legal, security of land tenure will help reduce poverty?
10. Can the land (real estate) rental markets help improve access of poor people to land? Evidence?

Group 4:

11. What policies, programs can help small scale peasantry (holders of agricultural land) to increase their holdings and improve their standards of living?
12. What mechanisms, procedures can be used to improve the efficiency and accuracy of land (real estate) registries?
 - a) What is the impact of corruption (use of position in the registry for extracting money etc from the users of the registry) on disadvantaged groups, on the dynamism of land markets, and on maintenance of up to date information in the Registry?
 - b) What are the causes of corruption?
 - c) Does corruption (such as kickbacks) significantly affect efforts at first registration?
 - d) How can civil society gain control over corruption or other disagreeable practices of Registries? Should Registrars be elected?
13. Over-lapping administrative mandates for land distribution causes some inefficiency in achieving social equity goals. What measures from your experience can be proposed to overcome this problem?

Following the Working Group discussions, the participants were assembled in a plenary session to hear and discuss the results of the working group discussions, as presented by the working group rapporteurs.

6. SESSION 4: Country Experiences highlighting the Environment and Sustainable Land Uses

The four country cases studies presented were from St. Kitts/Nevis, Montserrat, St. Vincent and the Grenadines, and Tobago (Trinidad and Tobago).

Mr. Ellis Hazel pointed out that for a small island of just 69 square miles, size is the decisive factor for St. Kitts. Size dictates the amount of land that can be allocated for uses, it limits the scope of land development activities and it determines the rotation rate for various land uses. The main constraints and considerations were identified as water, waste management, urban growth issues, sugar and non-sugar land uses, and tourism requirements.

Mr. Frank Greenaway pointed out that a very sensitive and fragile ecosystem and signs of environmental stress are evident in certain areas in Montserrat. The more significant natural resources management problems include:

- Loss of forest cover from volcanic activity and from indiscriminate agricultural practices and the implications for soil and water conservation and the maintenance of wildlife habitats, landscape amenity value and recreation-tourism potential;
- Soil depletion and erosion associated with the clearing of vegetation on steep slopes and other poor land use and land management practices, such as uncontrolled grazing of loose livestock;
- Until recently, the unregulated extraction of beach sand for construction purposes, resulted in severe problems of coastal erosion and reduction of the recreation capability of beaches. Restrictions have since been introduced on this activity.

The achievement of a sustainable pattern of development over the island will require innovative approaches towards natural resources utilization. The completion of the Physical Development Plan has assisted. The establishment of the integrated natural resources database as part of the GIS is now being established. This system will be accessible to other relevant agencies. The Forestry, Wildlife, National Parks and Protected Areas Legislation has also been enacted.

Mr. Bentley Browne noted that watershed management is considered a serious problem in St. Vincent & The Grenadines. There have been attempts to improve the management of the forests.

Tourism development created complexity in the land market as a great deal of the land was excised from the local market and sold to the wealthy on the International markets. Sales of land on the Island of Mustique and the Canouan Resort are the best examples. In addition, in the Grenadines islands there is a duality of prices on land sold by locals. Locals are offered land in local currency, while aliens are offered land in U.S prices. The planning system remained weak throughout the period and most developments occurred outside the control of the planning system. He concluded that Tourism on St. Vincent has reinforced spatial inequalities and encouraged rural-urban migration.

Mr. Raye Sandy noted that for any discussion of land use in Tobago to be complete, one must include the land dedicated to the growth of forests. Some of the factors affecting the sustainability of land use in Tobago include ill-advised and outdated cultural practices, inappropriate solid and liquid waste disposal, land ownership patterns, lack of baseline information, and the absence of a comprehensive integrated land use plan. The environmental laws relating to the use of land are all predicated on the concept of sustainability. One can conclude therefore that environmental practices and regulations will increasingly continue to influence land use possibilities in the future. This is exaggerated on small islands where the land resource is limited and intensively utilized.

Working Group Discussions

Following the presentations of the four country cases, Workshop participants were again divided at random into four Working Groups to discuss the following questions:

General Question for all Working Groups:

“Some issues of environment and sustainable land uses have been raised by the presentations from St Kitts/Nevis, Montserrat, St. Vincent & the Grenadines, Tobago (Trinidad and Tobago). What are some of the experiences from those and your countries that the Workshop should note specifically?”

Group 1:

1. How does tourism development affect water and land resources?
2. How do land settlement/development programs affect the protection of land and water resources, especially environmentally sensitive, protected areas?

Group 2:

3. What have been experiences with “community forestry” management programs in contrast with State forest management?
4. Should agricultural land be preserved for agricultural use?
5. How does squatting (informal settlement/occupation of land) affect the sustainable use of land and the health/welfare of the population? What programs have proven successful in minimizing the incidence of squatting?

Group 3:

6. How should sensitive environments be “protected” (such as wetlands, erosion prone watersheds, etc.,) under private and public ownership?
7. What are the costs and benefits of “eco-tourism” as an approach for protecting biodiversity?

Group 4:

8. Is peasant (small scale) or capitalist farming more destructive to land and water resources? How can each type be encouraged to be more environmentally sustainable?

9. What evidence is there that improving the security of tenure of urban and rural land holdings improves the sustainable uses of the land and water resources?

Following the Working Group discussions, the participants were assembled in a plenary session to hear and discuss the results of the working group discussions, as presented by the working group rapporteurs.

7. SESSION 5: CAPACITY BUILDING

In this session, there were four presentations from institutions, which offer training and educational resources for improving the capacities of people working on land policy, administration and management:

Asad Mohamed, from the Department of Surveying and Land Information at UWI-St. Augustine, presented the origins and planned offerings of the Graduate Diploma in Land Administration in his Department. This program emerged from the recommendations of the Land Use Policy and Administration Project (LUPAP) and from the findings of a Caribbean review of University programs initiated by the Office of the Prime Minister, Government of Jamaica, which noted shortages in land policy, administration and management training throughout the Caribbean region.

Elizabeth Thomas-Hope, of the Department of Geography and Geology at UWI-Mona, presented the graduate level program offered by the Environment Management Unit of that Department. This program has been operational for three years with EU financial scholarship support for students from around the region. Sixty students have conducted research on land policy, administration and management as part of their degree work, and have graduated from the program.

Grenville Barnes, University of Florida-Gainesville, described that University's Masters and Ph.D. level programs on land policy, administration and management. Dr. Barnes identified short courses, distance education modules, and one-year professional Masters as appropriate options for students who are unable to enter into the usual Masters and Ph.D. programs. One important experience has been Dr. Barnes' development and conduct of an Internet-based course on Land Administration for students in various countries of Central America. Such an approach could be useful to potential students in the various countries of the Caribbean.

Jan Vermeiren, Unit for Sustainable Development and Environment - Organization of American States (OAS), presented the LandNetAmericas facility, which emerged from the Second Summit of the Americas, held in Chile in 1998. At that Summit the heads of governments declared property rights registration as a key to poverty alleviation. Property registry reform influences the goals of the summit: justice, human rights, gender equality, education and economic integration. LandNetAmericas has been developed to assist with the dissemination of information, publications, conferences, research to people working on land policy, administration and management in Latin

America and the Caribbean. Mariana Herrera of this same unit set up a demonstration of how this service can be accessed and used, and offered to assist with the development of a Caribbean sub-net with these same or similar services.

A presentation was also made by Professor Joseph Iyo, Historian and Lecturer-University of Belize about the interest and experiences of his University with distance learning program based on teleconferencing. Dr. Harold Struiken, Suriname Anton de Kom University - Faculty of Technology, described the offerings in the field of geodesy and surveying in that University.

Discussion subsequently identified other training and educational institutions, such as the University of Guyana and the University of Technology in Jamaica, which should be including in a “capacity building” program should that option be carried out in the future.

8. SESSION 6: NEXT STEPS

The participants conducted discussions in four (4) working groups after the presentation of the current measures at “Capacity Building”. The working groups reports are summarized as follows:

Immediate Initiatives

The participants gave credence to a desire for the Caribbean to regard land as “*a scarce resource which needs to be appropriately administered, sustainably managed and equitably distributed*”. In pursuit of this vision, the Working Groups called for three (3) specific initiatives as immediate next steps.

- a) The formation of a **Regional Network** of professional, practitioners, researchers and other interested parties aimed at promoting practical and well-researched solutions to the institutional, legislative, Policy and socio-economic issues that have roots in the way land is administered and managed in the Caribbean.
- b) The articulation of a **Regional Land Policy Position** to heighten awareness of the fact that development in the Caribbean requires a structured approach to land markets, social equity and access to land and environmental protection and sustainable land use practices.
- c) The pursuit of opportunities for **Training, Re-tooling and Administrative Capacity Building** in member states of the Caribbean to implement land policies which will improve the viability of production systems, address social needs of housing/settlement and poverty reduction and achieve environmental balance in the use of land resources

Regional Network

The working groups called for the formation of a Network to promote action on a regional basis on the common themes of land markets, social equity, access to land, environment and sustainable land uses. As a consequence, a Steering Committee was named to incubate such a network. The Network Steering Committee (NSC) comprises:

- | | |
|--------------------------------|--------------------------------------|
| • Trinidad & Tobago | Mrs. Jacqui Ganteaume-Farrell |
| • OECS Member States | Mr. Bentley Browne |
| • Jamaica | Mrs. Jacqueline daCosta |
| • Guyana | Mr. Andrew Bishop |
| • Belize | Mr. Armin Cansino |
| • Bahamas | Mr. Tex Turnquest |
| • Barbados | Mr. Robin Gittens |
| • Suriname | Dr. Harold Struiken |

The Network should seek to develop instruments for sharing information such as:

- **Analyses** of country situations pertaining to security of tenure, land administration (registration of rights, property mapping, valuation of land and real estate), management of state lands, protection of renewable and non-renewable resources, access of disadvantaged groups to land and water.
- **Statistical information** on these themes.
- **Opportunities for Training and re-Tooling** of government and non government entities engaged in land administration and management as well as policy formulation
- **Legislative framework** for land administration and management
- **Experiences regarding the interplay** between legal structures and cultural practices, such as access to beaches, family/generational land, informal settlements for housing and agriculture.
- **Experiences regarding the managing of competing objectives** such as how to “juggle” land policy goals and development imperatives
- **Research design** with respect to land administration and management topics (see below).

The workshop groups also requested that the Network seek a short-term solution to establishing an Internet presence by utilizing the facility and opportunities offered at the Workshop by LandNet Americas. The workshop groups also required that the Network establish cooperative links with other emerging networks etc., in the Caribbean region whose goals may involve similar concerns.

Research Applications:

The Working groups recognized that individuals are moving ahead to resolve their social and economic challenges through innovative arrangement to access and to use land. David Rudder expresses this succinctly in his lyrics “*While the wise men rumble and fight for their souls, we the people are ahead of our leaders*”. Accordingly, the working groups

have expressed concern that more resource be allocated to practical research that would support rational decisions by individuals, organizations, the private sector, civil society and Governments in the application and utilization of land resources. Specific attention was made of:

- Economic, social and environmental analyses of the compatibility of Tourism development and other environmental, economic and equity goals of land policy.
- Baseline and inventory data
 - Natural resources
 - Degradation of the resource base
 - Areas of informal settlements
- Social equity analyses
 - Role and different forms of tenure security, including indigenous group title, family/generational title, corporate and condominium title, various types of lease arrangements
 - Baseline of equity situation in terms of access to land and water.
 - Functional contributions of “information” and training (extension) to improving the sustainability and efficiency of land use practices
 - Formal and informal market arrangements, their origins and effects.
 - Evaluation of indigenous group, ethnicity and race in land access

Capacity Building

Taking full cognition of the capacity building efforts expressed in the programs of the University of the West Indies (Mona and St. Augustine Campuses), the University of Florida at Gainesville and other North American Universities, and the programs of the OAS, the working groups felt strongly that this Network must actively promote measures to build the capacity for land administration and management at all levels of governance in Caribbean societies. Some of the specific objectives that should be pursued include:

- Establishing skills bank
- Proper assessment of training needs including consultation with employers/property makers
- Incentive structures to re-attract professionals who have been sent on training to keep them in the field
- Proper archiving of experiences for subsequent project design and implementation
- Support to technicians/practitioners level training
 - Certificate programs
 - Distance learning
 - Short courses/Diplomas
- Recognition of work experience as a credit to enter or progress in University/Training programs
- Exchange visits
- Exchange programs of staff across territories with costs shared between hosts and home countries.

Implementation Strategy

To implement a strategy to increase the profile of land issues and support effective Land Policy, the working groups proposed that the **Network Steering Committee** meet and adopt short and medium term goals from the following list:

- Information Sharing
- Forums
- Linkages with regional network
- Technical support to public servants
- Lobbying
- Research agenda
- Capacity building

The Working Group reports also propose that a program of activities of the Network be formulated by the Network Steering Committee with the following contents:

- Identify sources of funds
- Utilize of LandNet Americas for an Internet solution to Network
- Generate base-line information
- Decide on a Regional strategy to get communications going
- Consider measures to increase awareness through the media
- Hold interactive discussions on an annual basis
- Identify skills in the region
- Promote a comprehensive land policy in all territories
- Action plan for specific activities in the next two (2) years
- Targeting a follow-up Report to Workshop in two (2) years
- Identification other initiatives for active cooperation
- Broadening the network base to include Professionals – Government – Civil Society
- Send a public statement to CARICOM Heads of State (from P.M. Trinidad)
- Target presentation of statement to the CARICOM Council in Trade & Economic Development Meeting in the End May.
- Consider CARICOM, UWI or some other structure as the eventual institutional home for the Network.

To move this process forward Terra Institute and ACT Ltd have offered facilitation services in the immediate short-term to assist with the operations of the Network Steering Committee

Attachment 1: Profile of Land Issues in Caribbean Territories

(n.r. = Not Reported in Country Experience Study)

	Antigua	Bahamas	Barbados	Belize	Dominica	Grenada	Guyana
Land Area (Hectares)	44,036	1,007,829	43,085	2,298,190	75,062	33,994	21,517,697
State Land Ownership	42%	n.r.	0.9%	39%	n.r.	10%	70%+
Property Parcels	41,000	86,590	98,098	n.r.	n.r.	52,229	n.r.
Other Ownership Patterns	Communal Lands in Barbuda; 23% un-established ownership	Generational Titles; Commonage; Crown Grants,	Land Leasing; Policy of free Public Access to Beaches	Historic Communal Occupation (Maya, Garifuna); Leasing of National Estate Lands	Communal: Carib Territory 3,700 acres vested in Carib Council	Family Lands Estimated 15% of all lands.	Leasehold: Cooperative land ownership: Race & Ethnicity issues involved
Major Land Uses	Forests, Agriculture, Built areas & Tourism	Tourism	Tourism	Forestry and Plantation Agriculture	Agriculture Forestry: 64% Public; 36% Private	Forest: 95% state-owned; Major Hotel establishment:	Agriculture; Mining; Forestry
Environmental Protection	Conservation of Parks/part of Tourism product	Environment Commission (BEST) needs improved information bases	n.r.	45% land under some form of protection; Active NGO participation biodiversity/conservation institutions	National Parks; World Heritage Site Forest reserves	Important Forest reserve Act protecting Grand Etang	n.r.
Title registration	All lands registered under Registered Land Title Act.	Registration of Deeds of Conveyance	Title Registration under way. Estimated 120,000 10% registered	Certificate of Title; Land Registration, Common law Conveyance,	Registration of Titles; Deeds of Conveyance	Registration of Deeds	Title Registration; Deeds of Conveyance
Land Taxation	Property Tax Act, Annual levy	Real Property Tax Act; many properties not assessed	n.r.	Land Tax Act at National Level Towns Property Tax Act Municipal level	No Tax on land; Tax on Houses	Transfer of Land attracts Taxes	n.r.
Land Information		National GIS Project on urban and environmental information	n.r.	Land Information Center-databank (GIS, LIS, CEDS)	Proposal for Land Bank	Grenada Land Information System	GIS - Digital Land Parcel Data; LIS - Tracking titles;

	Antigua	Bahamas	Barbados	Belize	Dominica	Grenada	Guyana
Land Administration	Multiple Administration Mandates; 23 Pieces of Legislation;	Property ownership documentation in multiple agencies	n.r.	Land Registration Act provides compulsory Registration Areas with large-scale Registry Index Maps	Planning and Development Corporation plays major role in regulatory control of land use	Planning Division regulates land use Valuations Division central in identifying parcels	Land Tenure Regularisation, providing title to holders of public lands
Land Disputes	Land Adjudication Act resolving titles & Boundaries for registration	Use of Quieting Titles Act. 25% of all land in dispute due to unclear documentation	Land (Adjudication of Rights & interests) Act: Commissioner's duty to "settle" status before passing on the Registrar of Titles	Land Adjudication Act helps clarify competing claims	n.r.	n.r.	Less than 8% land claims; 26% of disputes are Boundary Problems
Squatting Situation	Immigrant Community approx. 3,000; Politically sensitive	Problematic involving immigrants	n.r.	Not reported as a major problem	n.r.	25 acres under squatting; 1,250 plots regularized, 55% in Grand Anse area	n.r.
Housing Policy	587 units established annually by CHAPA & Land Division on State lands.	n.r.	National Housing Corporation addressing low & middle income demand with vested tracts of Crown lands	51% urban population; Land reclamation, canalisation and property development in environs of Belize City a booming private sector phenomenon	Private Sector driven; No incentives at low end market	Housing Authority addressing low income demand: using state land resources	n.r.
Land Price Inflation	Speculation and artificial shortages as source	Property prices not systematically monitored	n.r.	No consistent Land Pricing Policy; Private lots sell for 5-7 times equivalent size public lot.		Driven by foreign participation and tourism construction	n.r.

Attachment 1: Profile of Land Issues in Caribbean Territories (continued)

(n.r = not reported in Study)

	Jamaica	Montserrat	St. Kitts/Nevis	St. Lucia	St. Vincent & Grenadines	Suriname	Trinidad & Tobago
Land Area (hectares)	1,099,100	3,953	32,239	61,643	38,851	16,340,439	516,600
State Land Ownership	19%	(64% surface uninhabitable)	78%	n.r.	47%	n.r	52%
Property Parcels	Official estimate = 676,584 Could be in excess of 1,000,000	n.r	n.r	33,287	n.r.	n.r.	n.r.
Other Ownership Patterns	Family Lands	n.r	Family Lands Rental holdings: 12% in St. Kitts, 18% in Nevis	Family Lands - 45% of total lands	Owner-like possessions Rental Lands about 23% agricultural lands.	Communal Leasehold Titles to Javanese and indigenous communities	Agricultural Land Leases require Cabinet approval; Ethnicity and race are issues in land distribution
Major Land Use	Agriculture; Mining; Forestry	Prior to Volcanic crisis, 25% of agricultural land lost to built development	28% in agriculture with 93% of this subgroup in sugar cane production	Plantation Agriculture Forestry 53%: Crops 23%	Forestry 47% Agriculture 32%	75% Rainforest Tropical hardwoods; Mining; Agriculture;	Agriculture; Mining (Coastal Zone); Forests
Environmental Protection	Parks, protected areas and coastal zone management; NEPA and JaNEAP coordinate planning and environmental policies	Loss of Forest cover; National Resource database becoming part of GIS.	Enactments to protect historic sites; NGO cooperation in conservation	n.r.	Reported 16,000 Negatively impacting forest management	Watershed Management a problem	Environmental Protection Agency; Incorporated in Planning Process
Title registration	Common Law Titles; Registered Titles; Possible 45% not registered	Title Registration	Title Registration; Registration of Deeds of Conveyance	Land Registry; family lands not included	Registration of Deeds of Conveyance	Only Leasehold titles issued after 1982	Title Registration
Land Taxation	Suspected number of properties not on Tax roll	Computation of property Tax based on market values	No taxation on land	Foreign participation & higher prices keep local out.	Property taxation based on annual rental values	No real estate tax.	Tax on transfer of title; Annual Land taxes not related to market values

	Jamaica	Montserrat	St. Kitts/Nevis	St. Lucia	St. Vincent & Grenadines	Suriname	Trinidad & Tobago
Land Information	Land Information Council coordinating GIS policies	GIS and computerization and integration of Cadastre and Land registry systems	GIS in Development Control & Planning Board; Land Registry information on State Lands	Developing an integrated Land Management database	Transaction records in Valuation; Records of Survey Plans	Establishing a cadastre-based Ground & Land Information System (GLIS)	National LIS/GIS proposed. Digital Parcel Index Map in Lands & Survey Division.
Land Administration	National Land Agency comprising Titles, Survey & Valuation division	20 pieces of legislation affecting land management.	Dual system: Deeds and Title Registration	Overlapping Mandates in Physical Planning Crown Lands; Land Registry; Lands & Survey	Registry and Physical Planning Board Crown Lands managed by Lands & Survey	Office of State Lands records Urban Planning Department National Planning Office	40 pieces of legislation Commissioner of State Lands; Planning Division; Land Administration Division
Land Disputes	Laws for adjudication of boundaries and ownership disputes	n.r.	Village Freehold Purchase Act addresses historic possessions	n.r.	n.r.	n.r.	Land Adjudication process
Squatting Situation	Concern with the capture of both private and public lands	More significant on private lands; 12 years possession to make a claim.	403 acres in St. Kitts and 128 acres in Nevis under "illegal" possession	n.r.	Reported 16,000; Forest reserves threatened	Some incidence in urban areas; Not a national concern.	25,000 housing squatters on State Lands;
Housing Policy	50-70% of housing solutions occurring in informal sector. National Housing Trust also involved	n.r.	National Housing Authority addresses low income market demand using state land resources	n.r.	n.r.	n.r.	National Housing Agency takes public sector lead. Private Sector in higher end market
Land Price Inflation	n.r.	n.r.	Partly fueled by Hotel Construction, Golf course and retiree home construction	n.r.	EC\$7-20 per Sq.Ft.; Tourism Development main source	n.r.	n.r.

Source: Country Experience Studies, Workshop on Land Policy, Administration and Management in the English-Speaking Caribbean; March 19-21, Hilton Hotel, Port of Spain, Trinidad & Tobago.

ANNEX 1: LIST OF PARTICIPANTS

	Name	Country	Profession/Position
1	Mr. George A. Duberry	Antigua	Land Officer
2	Mr. Aldin Crump	Antigua	Chief Town Planner
3	Mr. Tex I. Turnquest	Bahamas	Director of Lands & Survey
4	Mr. Peter Rabley	Bahamas	Private Sector
5	Mr. Ronald Thompson	Bahamas	Permanent Secretary
6	Dr. Peter Maynard	Bahamas	President, Bahamas Bar Association
7	Mr. Cedric Moxey	Bahamas	Dep. Registrar General
8	Mr. Timothy Maynard	Barbados	Principal Legal Officer
9	Mr. Robin Gittens	Barbados	Chief Surveyor
10	Mr. Mark Cummins	Barbados	Chief Town Planner
11	Mr. Lloyd Powlet	Barbados	Private Sector
12	Ms. Patricia Barrow	Barbados	Chief Housing Planner
13	Dr. Joseph Iyo	Belize	University of Belize
14	Mr. Armin Cansino	Belize	Commissioner of Lands
15	Mr. Jose Cardona	Belize	Legal Counsel
16	Mr. Ray Davis	Belize	Dep. Commissioner of Lands
17	Mr. Reginald Winston	Dominica	Registrar
18	Mr. Raphael Stephen	Grenada, W.I.	Valuation Officer
19	Mr. Cecil Frederick	Grenada, W.I.	Senior Planning Officer
20	Mr. Andrew Bishop	Guyana	Commissioner of Lands
21	Ms. Shuwani Singh	Guyana	Land Use Specialist
22	Mr. Rudolf Gajraj	Guyana	Chairman, Agri. Dev. Authority
23	Mr. James Singh	Guyana	Commissioner of Forests
24	Mrs. Jacqueline daCosta	Jamaica	Permanent Secretary
25	Mrs. Elizabeth Stair	Jamaica	Chief, National Land Agency
26	Miss Cecille Blake	Jamaica	National GIS Coordinator
27	Mr. Silburn Clarke	Jamaica	Private Sector
28	Mr. Maurice Jones	Jamaica	Private Sector
29	Mr. Frank Greenaway	Montserrat	Chief Physical Planner
30	Mr. Ellis Hazel	St. Kitts/Nevis	Chief Physical Planner
31	Mr. Calvin R. Esdaille	St. Kitts/Nevis	Director, National Housing Authority
32	Mrs. Magdalene Henry-Fontenelle	St. Lucia	Senior Planning Officer
33	Mr. Lyndon John	St. Lucia	Economic Planner
34	Mr. Bentley Browne	St. Vincent & Grenadines	Head EDF-PMCU
35	Mr. Adolphus Ollivierre	St. Vincent & Grenadines	Chief Surveyor
36	Dr. Harold Struiken	Suriname	Anton de Kom University
37	Ambassador Henry Illes	Suriname	Ambassador
38	Mr. Freddy Delchot	Suriname	Consultant
39	Dr. Thackwray Driver	Trinidad & Tobago	Head, PCU
40	Dr. Asad Mohammed	Trinidad & Tobago	University of West Indies
41	Ms. Jacqui Ganteaume-Farrell	Trinidad & Tobago	Director, Land Administration Division
42	Mr. Andrew Bowles	Trinidad & Tobago	Director of Lands & Survey
43	Ms. Susan Francois	Trinidad & Tobago	Registrar
44	Ms. Carol Smart	Trinidad & Tobago	Director Town & Country Planning
45	Dr. Robin Rajack	Trinidad & Tobago	Consultant
46	Mr. Keith Scott	Trinidad & Tobago	President, Institute of Surveyors

47	Mr. Derek Outridge	Trinidad & Tobago	Chartered Quantity Surveyor
48	Mr. Kameel Khan	Trinidad & Tobago	Consultant - Valuer
49	Mrs. Deborah Thomas	Trinidad & Tobago	President, Society of Planners
50	Mr. Raye Sandy	Trinidad & Tobago	Director, Natural Resource
51	Dr. Peter Bloch	Speaker	Economist
52	Dr. Jean Besson	Speaker	Anthropologist
53	Dr. Carol James	CANARI	Consultant
54	Mr. H. Sam Lawrence	CARICOM	Advisor, Agricultural Transformation
55	Dr. James Morton	DFID	Managing Director
56	Dr. Lystra Fletcher-Paul	FAO	Resource Management Officer
57	Mr. Howard Batson	USAID (Jamaica)	Director of Natural Resources
58	Mr. Jan Vermeiren	OAS	Principal Specialist
59	Ms. Mariana Herrera	OAS	Communications Specialist
60	Mr. Gabriel Montes	IDB – Washington	Principal Specialist IDB - Washington
61	Mr. Cesar Falconi	IDB – Washington	Economist IDB-Washington
62	Mr. Alvaro Llosa	IDB – Washington	Chief of Division IDB-Washington
63	Ms. Michele Frederick-Johnson	IDB – Jamaica	
64	Mr. James Campbell	IDB – Guyana	
65	Mr. William Robinson	IDB – Trinidad	
66	Mr. Flavio Bazan	IDB – Trinidad	
67	Mr. William Grisley	IDB – Suriname	
68	Mr. Leon Harris	IDB – Belize	
69	Mr. Clark Sand	IDB – Washington	
70	Ms. Annalisa Mauro	ILC	Programme Officer
71	Dr. Robert Home	UK	Anglia Law School
72	Ms. Michelle McCanna	UK	Anglia Law School
73	Dr. Joseph Seepersad	UWI – Trinidad	University of West Indies
74	Prof. Elizabeth Thomas-Hope	UWI –Jamaica	University of West Indies
75	Dr. J. David Stanfield	Coordinator	Land Tenure Center
76	Dr. Allan N. Williams	Facilitator	ACT Consulting Associates Ltd.
77	Mr. Kevin Barthel	Terra Institute	Consultant
78	Dr. Grenville Barnes	Terra Institute	University of Florida (Gainesville)
	Administration		
	Mr. Don Esser	Land Tenure, USA	Programme Assistant
	Ms. Lynn Burns	Terra Institute, USA	Chief Operations Officer
	Mrs. Helene Bissoon	Trinidad & Tobago	Events Manager
	Ms. Candia Alfred	Trinidad & Tobago	PCU - Office Support Staff
	Ms. Dana Medina	Trinidad & Tobago	PCU - Office Support Staff
	Ms. Ranaa Muhammed	Trinidad & Tobago	PCU - Office Support Staff
	Mrs. Erica Prentice-Pierre	Trinidad & Tobago	PCU – Programme Officer
	Mrs. Salisha Bellamy	Trinidad & Tobago	Land Administration Division
	Mr. Beaumont Celestain	Trinidad & Tobago	ACT – Trade Show Manager
	Mr. Ramdat Bhagoo	Trinidad & Tobago	PCU - Transportation
	Mr. Franklin Rodriguez	Trinidad & Tobago	PCU - Transportation
	Mr. Cecil La Guerre	Trinidad & Tobago	Ministry - Transportation
	Ms. Lindiwe Williams	Trinidad & Tobago	ACT – Floor Monitor
	Ms. Ayana Gift	Trinidad & Tobago	ACT – Floor Monitor
	Mr. Brent Fingal	Trinidad & Tobago	ACT – Floor Monitor

Annex 2: WORKSHOP PROGRAMME

Day 1: MARCH 19, 2003

Opening Session

9:00am – 9:45am Formal Opening Ceremony
Dr. Thackwray Driver - The Chairman of the Steering Committee
Mr. Howard Batson - USAID - Jamaica
Dr. James Morton - DFID- UK
Mr. Alvaro Llosa - The Inter American Development Bank
Hon. John Rahael - Minister of Agriculture, Land and Marine Resources
Dr. Allan N. Williams Vote of Thanks

10:00am – 10:30am COFFEE BREAK

Session 1

10:30am – 10:40am The Framework Paper - Allan N. Williams
10:45am – 11:05am The Economic Impact of Land Policy - Peter Bloch
11:10am – 11:30am History, Culture and Land - Jean Besson
11:30am – 12:00pm Discussion – Response to the Framework, Economic and Historical/Cultural Papers

12:00pm – 1:30pm LUNCH (Savannah Terrace 1)

Session 2

1:30pm – 2:30pm Theme 1: Land Markets & Development
Presenter 1: Guyana
Presenter 2: Jamaica
Presenter 3: Bahamas

2:30pm – 4:30pm Break- Out sessions on Theme 1
Working Group 1: The Jasmine Suite
Working Group 2: The Poui Suite
Working Group 3: La Boucan (North Section)
Working Group 4: La Boucan (South Section)

3:00pm – 3:30pm Coffee Break

4:30pm – 5:30pm Report to Plenary

5:30pm CLOSE

8:00pm **OFFICIAL RECEPTION:** at the Programme Co-ordinating Unit, Ministry of Agriculture, Land and Marine Resources, # 2 Serpentine Road, St. Clair, Port of Spain

Day 2: MARCH 20, 2003

Session 3

8:30am – 9:30am Theme 2: Social Equity & Access to Land

Presenter 1: Barbados

Presenter 2: Belize

Presenter 3: Suriname

Presenter 4: Trinidad and Tobago

9:30am – 11:30am Break – Out sessions on Theme 2

Working Group 1: The Jasmine Suite

Working Group 2: The Poui Suite

Working Group 3: La Boucan (North Section)

Working Group 4: La Boucan (South Section)

10:00am – 10:30am Coffee Break Available

11:30am – 12:00pm Report to Plenary

12:00pm – 1:30pm LUNCH (Savannah Terrace 2)

Session 4

1:30pm – 2:15pm Theme 3: Environment & Sustainable Land Uses

Presenter 1: St. Kitts/Nevis

Presenter 2: Montserrat

Presenter 3: St. Vincent & The Grenadines

Presenter 3: Tobago (Trinidad & Tobago)

2:30pm – 4:30pm Break – Out sessions on Theme 3

Working Group 1: The Jasmine Suite

Working Group 2: The Poui Suite

Working Group 3: La Boucan (North Section)

Working Group 4: La Boucan (South Section)

3:00pm – 3:30pm Coffee Break Available

4:45 pm – 5:45pm Report to Plenary

6:00 pm – 9:00 pm TRADE SHOW

Day 3: MARCH 21, 2003

Session 5

9:00am – 9:30am Revisit of the Framework Paper by David Stanfield

9:30am – 10:15am Presentation on Capacity Building.

Education and Training in Land Administration and Management by Asad Mohammed;

Graduate Level Programme, UWI, by Elizabeth Thomas-Hope

Graduate Level Programmes, University of Florida, Gainesville by Grenville Barnes;

LandNet Americas by Jan Vermeiren, OAS;

10:15am – 10:30am Comments from Participants

10:30am – 11:00am COFFEE BREAK

11:00am – 12:00pm Break– out session: Identify follow-on activities (Next Steps)

Working Group 1: The Jasmine Suite

Working Group 2: The Pouï Suite

Working Group 3: La Boucan (North Section)

Working Group 4: La Boucan (South Section)

12:00pm – 1:30pm LUNCH

1:30pm – 2:30pm Break-Out Session on “Next Steps” continued

2:45pm – 3:30pm Report to Plenary

3:30pm – 4:00pm COFFEE BREAK

Session 6

4:00pm – 5:30pm PANEL DISCUSSION by International/Regional Agencies
(USAID, IDB, DFID, OAS, CARICOM, UWI)

5:30pm - 6:00pm Closing Statements

6:00pm CLOSE

7:00pm WORKSHOP DINNER

ANNEX 3:

**Opening Address by
Hon. John Rahael
Minister of Agriculture, Land and Marine Resources
Government of The Republic of Trinidad & Tobago**

Introduction

It gives me great pleasure to open this important regional workshop, on behalf of the Government of the Republic of Trinidad & Tobago, and to welcome all our visitors to this beautiful twin island state. As your host, I sincerely hope that your stay here will be both professionally rewarding and personally enjoyable.

The issues, which we shall discuss here, are of fundamental importance to our region. Unless we address these issues, our aspirations for economic and social development, are going to remain vague dreams. In many of our countries we have very limited land resources - this underlines the need to find effective policy instruments, to ensure that the limited land resources we possess, are used productively. Access to land and other natural resources, remain extremely important mechanisms, for people to overcome poverty; and to generate livelihoods for their households.

Access to Land

Access to land, is also of key importance for social reasons. Secure property rights, enable people to feel part and parcel of a wider community, and to have a strong stake in the development of that community - this has important implications, not just for community level development, but also for national governance. People need to feel secure in their homes and on their landholdings, if they are to be active and committed citizens.

One of the things that unites the countries represented at this workshop, is a similar history of European colonial conquest, and subsequently the forced migration of slaves from Africa followed by indentured labourers from India and elsewhere - this provided labour to large plantations, owned and operated by the colonial masters. This similar history has had implications for our land ownership system, which persist to this day. At independence, most countries in the region had a very skewed land ownership pattern. During this time large areas were owned by a few individuals, and the majority of the population were forced on to small, often marginal, parcels of land. Often people occupying these parcels had no documented official rights to the land, such as ownership deeds or certificate of title, or were forced to pay rents to landlords. There was no guarantee of security of tenure. During the Independence era most Governments in the region implemented various land reform policies and programmes to try to address this imbalance.

In Trinidad & Tobago, for example the Government introduced restrictions on private landlords, in order to give both agricultural and residential tenants, security of tenure. We also followed programmes to distribute remaining areas of State lands, primarily in the Wallerfield and Carlsen Fields areas, but also across Trinidad & Tobago. Finally we

nationalised some significant areas of large agricultural estates, primarily in the sugar sector, in order to continue to run the estates, and provide secure jobs for the employees.

Thirty years on, and with the benefit of hindsight, we realise that most of these policies and programmes have unfortunately failed to transform the land ownership system we inherited. Here we still have a situation where almost fifty percent of households, do not have documented title to the land on which their home is built. As Minister of Agriculture, Land and Marine Resources I receive a steady stream of letters, phone calls and personal visits from people anxious to access land, and requesting my assistance. Meanwhile, across the country there are many large agricultural estates, in both State and private hands, lying abandoned or under-utilised.

The grand and noble experiment of State-ownership of the sugar estates, through Caroni (1975) Ltd., has failed to deliver the results originally anticipated - these large landholdings have simply not been contributing to the economic development of our country. As many of you will know, we are now in the midst of a programme to bring reform to the sugar sector - and in the process to bring about genuine land reform. One of the major objectives of the Caroni restructuring plan is to take these valuable and potentially productive agricultural lands out of the hands of a failing State company; and to place them into the hands of the workers voluntarily separated from the company, and to encourage them to become independent farmers, entrepreneurs and business people.

The process of reforming the State-owned sugar company is part and parcel of a wider reform programme, upon which the current Government has embarked. This is to ensure that there is widespread and secure access to land, for all of our citizens. We need to learn from our past mistakes and acknowledge that during the Independence era, land reform policies were not very productive. These policies involved heavy State intervention in the land market, which failed to meet their objectives, of increasing access to land and removing rural and urban poverty.

We remain convinced that the best way of ensuring access to land, and ensuring that it is put to the best use, is to guarantee a well functioning and effective market in land. This does not mean that there are not specific programmes needed, in order to ensure, that the poorest members of society are able to access land; but these programmes need to be well targeted, transitional and implemented in such a way as not to distort the overall land market. The Government's primary role, must be to ensure that the basic legal and institutional framework is in place, for the land market to function effectively.

In our view this framework should include five major elements:

- Firstly, the State must provide a clear and transparent legal framework for ownership and occupation of land;
- Secondly, the State must establish and ensure the smooth functioning of dispute resolution mechanisms - such as Law courts or tribunals;
- Thirdly, the State must facilitate and guarantee the transfer of property rights, through effective land registries;

- Fourthly, the State should control and regulate land use in the public interest, especially taking into account environmental concerns;
- Fifthly, the State must manage publicly owned lands effectively,

Land Reforms in Trinidad & Tobago

I wish to briefly outline some of the activities that the Government of Trinidad & Tobago is currently implementing in this area, as I believe that some of these activities, may either be of interest to other participants in the workshop or activities, that some of you have initiated in the past, and we may be able to learn, from your experience and knowledge.

Most of these activities have taken place through the Inter American Development Bank funded Investment Sector Reform Programme and the Agriculture Sector Reform Programme. I would like to take this opportunity to publicly thank the IADB for their continued support and advice to us over the years.

The most significant reform that has taken place in the land administration system of Trinidad & Tobago, is the creation of a new legal framework for land ownership, through the passage of three Acts of Parliament, namely:

- the Land Adjudication Act;
- the Registration of Title to Land Act; and
- the Land Tribunal Act.

Under the **Land Adjudication Act** the legal interests in every single parcel of land in Trinidad & Tobago will be determined through a systematic nation-wide adjudication programme. Specific geographical areas will be designated "adjudication areas" in turn, and every person claiming a legal interest in any lands in that area will be entitled to establish their legal rights. This process will continue until each parcel of land in the country has been adjudicated.

I am aware that similar adjudication programmes have been implemented in St. Lucia, and elsewhere in the region, in the past - and that a similar project is underway in Jamaica at the moment. It would be good if we could learn from your experiences in implementing these programmes, to help us implement our programme as efficiently and effectively as possible.

In Trinidad & Tobago, the interests adjudicated through this process, are going to be registered in a new land registry created by the **Registration of Title to Land Act**. This new registry will replace both the 'Old Law* Deeds Registry system and the Real Property Ordinance registry - the two existing land registry systems. It is hoped that this new, more effective, registry system will significantly improve efficiency, transparency and security of tenure, for all citizens. In the new registry system, legal interests in every parcel of land will be recorded in the registry. This is guaranteed to be correct by the State, thereby significantly increasing investor confidence, and creating a more vibrant land market. Under this new system legal interest in a parcel, can be determined by consulting a single folio entry in the registry, on that particular parcel.

The final piece of the new legislative framework is the **Land Tribunal Act**, which creates a new court for land matters, in particular for any appeals against the adjudication process carried out under the Land Adjudication Act. The Act also has provisions to allow the Tribunal to determine appeals under other land related legislation. The Land Tribunal Act will create a new tribunal to hear all land related matters - which we know often takes an inordinate time to be addressed.

This new legal framework has been in place for a couple of years already, but unfortunately until recently, little had been done about implementing the new legislation. In January of this year, Cabinet agreed that implementing these three laws to transform the land administration system, was a priority and my Ministry is now taking the lead, on pushing forward implementation - and I should tell my friends from the IADB that we will once again be looking for your support.

Modernisation of the Land Registry

One of the priorities that must be addressed, before we can begin the systematic national land adjudication process, is to complete the modernisation of the Land Registry. A lot of excellent work has already been done in the Land Registry, in recent years. With the assistance of consultants from the New South Wales Land Registry, the past thirty years of records in the deeds section of the registry, have been scanned by a local data processing company (about 700,000 records in total), and an index of these scanned images, has been completed.

The completion of the index has also significantly reduced the time taken, to conduct a title search to determine the legal interest in any given parcel of land. There are, however, still some issues to be ironed out in the new system, and the Land Registry needs to be given adequate financial and technical resources, to address these issues.

In addition to continuing the modernisation of the Land Registry there is some important work that we must get done in the area of cadastral records management. The new Land Registry that was envisaged in the new legal framework is a parcel-based system. We therefore urgently need to improve the geo-spatial data we have available on parcel boundaries - this is the cadastral data maintained by the Lands and Surveys Division.

We are currently in the final stages of tendering for a major project, to create a system of parcel index maps, and to assign Unique Parcel Reference Numbers - or UPRNs - to all parcels, which have been surveyed, at some time in the past. The existing paper based index sheets, will be computerised and UPRNs will be entered, into a database of all of the cadastral surveys and -this is the crucial point - into the index of deeds in the land registry, whenever there is a survey plan found attached, to the deed. Obviously this project is not going to mean that every parcel of land existing on the ground, or every deed in the registry, is going to have a UPRN - that will only happen, once the nation-wide adjudication is complete - but it is a significant step in the right direction, and it will make the adjudication process much more feasible.

The adjudication process is also going to involve some significant new mapping work. At current prices and using current technology, conducting a full cadastral survey of each parcel of land in the country, prior to its inclusion in the new proposed Land Registry, would not be economically feasible. What is required, therefore, is a reasonably accurate parcel identification map, which will indicate the approximate size and shape of the parcel and its relationship relative to other parcels.

Advances in mapping technology - in particular the development of Global Positioning System (GPS) technology - makes this mapping exercise, a less expensive and daunting task that it might appear at first. In order to fully benefit from GPS technology, however, there are some specific improvements to the country's geodetic infrastructure that will have to be made. We also have a project in the tendering phase to do this work. Again, I know that these improvements, are similar to those made, in many other countries in the region in recent years, including in Belize and Guyana, and it would be good for us to learn from your experiences.

State Land Management

In addition to these activities to improve the legal, institutional and information framework, for the land administration system, we have also been addressing the reform of State land management. As many of you will know, the State directly owns over fifty percent of the land area of Trinidad & Tobago. Much of this land area is under Forest reserves or other conservation areas, but we also lease out significant areas to private farmers, homeowners and businessmen. In the past this landholding has been extremely badly managed, resulting in many parcels where the occupier does not have a valid lease. On State agricultural lands we know that only about ten percent of the 17,000 parcels have valid standard agricultural leases.

Out of the approximately 20,000 leases granted in all sectors by the State in the past, only 6,500 are still valid. The rental levels on these valid leases are often very low - over fifty percent of the valid leases have rental levels of under twenty TT dollars per annum, and thirty seven percent have annual rentals of one dollar. It obviously costs the State much more than one TT dollar to administer the collection of this rent. The revenue owing to the Government for the rental of these 6,500 leases is a paltry TT\$1.5 million a year. By contrast it costs us about three million TT dollars per year to staff and run the Office of the Commissioner of State lands - the statutory office with responsibility for State land management. In other words, the Government loses money on leasing out State lands - a clearly ridiculous situation.

In order to address this situation we have been implementing both short-term and long-term measures, to improve State land management. These reforms to the State land management system, are a direct result of the work conducted by the Land Tenure Centre, University of Wisconsin under the Land Use Policy and Administration project of the Agriculture Sector Reform Programme. I note that the Land Tenure Centre, are the joint organisers of this important workshop and it is good to know that we are continuing our very fruitful relationship with that excellent institution.

With respect to short-term activities to improve State land management, we have placed emphasis, on the development of information technology, and related systems. We already have a very successful and comprehensive **State Agricultural Land Information System** (SALIS) in place; this has up-to-date information on all parcels of State agricultural land. We have also recently built a customised Lease Management System, including records on all State land leases, grants, licences, mortgages and acquisitions (over 30,000 records).

We are now developing a new information system, which will bring together data from the State Agricultural Land Information System, the Lease Management System and the Deeds Registry into one computerised database. This will be available to all of the key managers in the Government with some responsibilities for State land. It is anticipated, that this System will allow staff in the District Revenue Offices to directly enter data on payments. This system will allow the Ministry, to exert greater management control over its State land portfolio, and will allow the Ministry to pass accurate information to the public.

These short-term improvements need to be seen, in the context of long-term efforts, to create the right legal and institutional environment for the management of State lands. Cabinet has recently approved the development of legislation, to create a new State Land Management Authority and to replace the existing outdated Act. This new Authority will have jurisdiction over all State. It will have the responsibility, of directly managing leases, agreements and acquisitions and for ensuring that other agencies manage State lands according to accepted Government policy. I know that other countries in the region have developed various institutional arrangements, to assist in the management of State lands. Again, it would be good for us to discuss these various options, in order to learn from each other, and develop effective State land management policies and programmes.

Conclusion

We must bear in mind, that the ultimate objective, for all of these reforms, must be to ensure, the sustainable development of our region. Our land administration systems, must support the objectives, of economic growth and poverty alleviation, if we are to fulfill the dream of development. We must always look to the future, and ensure that our current activities are sustainable, and economic growth does not destroy the environment, upon which our children and grandchildren will have to rely. Ensuring that planning and environmental regulations are effectively implemented, is of fundamental importance, to all countries of the region and we must make sure that we have the right policies and institutions, to achieve this objective. I know that the theme of achieving a balance between growth, social equity and environmental sustainability underpins this workshop.

I trust that your deliberations and discussions will be active, interesting and ultimately fruitful. We must learn from each other, in our quest to find solutions, to these thorny issues. We must also look beyond the Caribbean - in this context, it is good to know, that we have the support, of not just the Inter American Development Bank but also the United States Agency for International Development and the United Kingdom Department for International Development. I am aware that USAID has been involved in

many land privatisation and land title programmes in the former Soviet Union and Eastern Europe. I also know that DFID has been closely involved in land tenure issues in Africa. I suspect that there may be some lessons, which we in the Caribbean could learn from your experiences, in these other areas, as well. I would like to thank all three of the international agencies sponsoring this event, for their support, both financial and technical, and trust that coming out of this workshop, will be a continued commitment, to support these important initiatives in the Caribbean.

I trust that your discussions and deliberations over the next three days, will be productive and rewarding, and that we will be able to build a strong and vibrant network of professionals, working on these issues, to ensure that relationships and linkages developed here, are carried forward into the future.

March 19, 2003

ANNEX 4: LIST OF TRADE SHOW PRESENTERS

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